

Please add claims 52-61 as follows:

52. A method of decreasing total blood cholesterol in a human patient, by administering to said patient an effective amount of an oil comprising (i) about 10 to 30% of tocopherols, tocotrienols or combinations thereof, (ii) about 2 to 20% of free sterols; (iii) about 2 to 20% of sterol esters; (iv) about 0.1 to 1.0% of cycloartenols, wherein all percentages are weight/weight.

53. The method of claim 52 wherein the oil is a refined rice bran oil.

54. The method of claim 52 wherein the oil is a mixture of rice bran oil and a palm oil.

55. The method of claim 52 wherein the edible oil includes at least one saturated fat, and the content of saturated fat of said edible oil is about 7 to 19% of saturated fat.

56. The method of claim 52 wherein said edible oil is substantially free of trans fatty acids.

57. A method of decreasing total blood cholesterol in a human patient, by administering to said patient an effective amount of an oil that comprises a mixture of (i) at least one tocotrienol or tocopherol; (ii) at least one free sterol or sterol ester; (iii) at least one cycloartenol.

58. The method of claim 57 wherein the oil is a refined rice bran oil.

59. The method of claim 57 wherein the oil is a mixture of rice bran oil and a palm oil.

60. The method of claim 57 wherein the edible oil includes at least one saturated fat, and the content of saturated fat of said edible oil is about 7 to 19% of saturated fat.

61. The method of claim 57 wherein said edible oil is substantially free of trans fatty acids.--

Claim 34 was amended and claims 52-61 were added. Claims 34-48 and 52-61 are pending. Reexamination and reconsideration are requested.

The Examiner objected to claims 38-43 under 37 C.F.R. 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicants respectfully traverse the objection. There is nothing in § 1.75(c) which prohibits claims 38-43. They are all dependent on claim 34 which is a method claim. Each of the dependent claims 38-43 further limit claim 34 in that the inventive edible oil of claim 1 must be administered to achieve the change reflected in claims 38-43. The changes reflected in claims 38-43 further limit the term "effective amount" in claim 34. Accordingly, applicants submit that claims 38-43 are proper.

The Examiner rejected claims 34-43 under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. Claim 34 has been amended and it is believed that this rejection should be withdrawn.

The Examiner rejected claims 34, 36, and 44-46 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,865,939 to Jandacek.

The invention as recited in claim 34 as amended is directed to a method of reducing total serum cholesterol and serum LDL cholesterol and raising serum HDL cholesterol comprising the step of administering to the patient an effective amount of an edible oil that reduces the synthesis, absorption and blood level of cholesterol *and increases the excretion of cholesterol from the human patient*. Although Jandacek discloses an edible oil that purportedly is hypocholesterolemic, Jandacek does not show or suggest an oil that also increases the excretion of cholesterol from the human patient. Accordingly, Jandacek does not show the present invention as claimed, and thus Jandacek does not render the present invention anticipated as this limitation is set forth in amended claim 34.

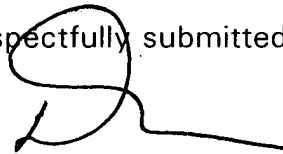
The Examiner rejected claims 35, 37-43 and 47-48 under 35 U.S.C. § 103(a) as being unpatentable over Jandacek, and U.S. Patent No. 5,514,398 to Imai. Neither Imai nor Lane make up for the deficiencies of Jandacek. None of them, alone or in combination with Jandacek, show an edible oil that not only reduces the synthesis, absorption and blood level of cholesterol, but also increases the excretion of cholesterol from the patient. Therefore,

applicants submit that the § 103 rejection should be withdrawn.

Applicants have also added new claims 52-61. The subject matter of these claims is not shown or suggested by the references, alone or in combination, and therefore Applicants submit that these claims are also allowable. In view of the above, Applicants believe that all of the pending claims are in condition for allowance, and such action at the earliest possible date is respectfully requested.

Should there be any questions regarding this application, Examiner Jiang is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,



August 26, 2002

Date

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34. (Amended) A method of reducing total serum cholesterol and serum HDL cholesterol and raising serum HDL cholesterol in a human patient comprising the step of administering to said patient an effective amount of an [the] edible oil [of An edible oil of Claim 1] that reduces the synthesis, absorption and blood level of cholesterol by a human patient and increases the excretion of cholesterol from said human patient.

Please add claims 52-61 as follows:

-- 52. (Added) A method of decreasing total blood cholesterol in a human patient, by administering to said patient an effective amount of an oil comprising (i) about 10 to 30% of tocopherols, tocotrienols or combinations thereof, (ii) about 2 to 20% of free sterols; (iii) about 2 to 20% of sterol esters; (iv) about 0.1 to 1.0% of cycloartenols, wherein all percentages are weight/weight.

53. (Added) The method of claim 52 wherein the oil is a refined rice bran oil.

54. (Added) The method of claim 52 wherein the oil is a mixture of rice bran oil and a palm oil.

55. (Added) The method of claim 52 wherein the edible oil includes at least one saturated fat, and the content of saturated fat of said edible oil is about 7 to 19% of saturated fat.

56. (Added) The method of claim 52 wherein said edible oil is substantially free of trans fatty acids.

57. (Added) A method of decreasing total blood cholesterol in a human patient, by administering to said patient an effective amount of an oil that comprises a mixture of (i) at least one tocotrienol or tocopherol; (ii) at least one free sterol or sterol ester; (iii) at least one cycloartenol.

58. (Added) The method of claim 57 wherein the oil is a refined rice bran oil.

59. (Added) The method of claim 57 wherein the oil is a mixture of rice bran oil and a palm oil.

60. (Added) The method of claim 57 wherein the edible oil includes at least one saturated fat, and the content of saturated fat of said edible oil is about 7 to 19% of saturated fat.

61. (Added) The method of claim 57 wherein said edible oil is substantially free of trans fatty acids.--